

Springerville Planning & Zoning Commission
Regular Session Minutes
June 10, 2004

Present: Vice Chairman Bill Lucas, Betty Amator, Kay Matthews and Dan Slaysman

Absent: Bridgett Laney and Larry Martin

Staff: Zoning Administrator-Kurt Hassler, Vice Mayor Mary Nedrow and Kim Wise

Public: Scott Garms, Sunny Wiltbank, Steve Martin, Aldrice Burk, Chris & Kay Buck and Russell Crosby

1. Call to Order

Vice Chairman Bill Lucas called the meeting to order at 7:00 p.m.

Roll Call:	Present:	Bill Lucas Betty Amator Kay Matthews Dan Slaysman
	Absent:	Bridgett Laney Larry Martin

2. Public Participation

There was no public participation.

3. Zoning Administrator Report

Kurt informed the Commission that this would be his last Planning & Zoning meeting. The Council has appointed Tom Malone to act as the interim Zoning Administrator. He will be here for the next meeting or two. Kurt also requested that the Town Attorney come to the next couple of meetings to help Tom and assist him with any issues that may come up.

The Council will meet again on Wednesday, June 16, 2004, about two items regarding Planning and Zoning. One is a permanent Zoning Administrator. They have had several options proposed to them, and they will discuss how to fill the vacancy. The other is the vacancy on the Commission. As you know, Arnold Moya turned in his resignation, so we will be appointing a new P & Z Commissioner. Kurt will have Tom put it on the next Agenda to re-elect a Chair and Vice Chair, assuming Bill moves up, and then we will appoint a Vice Chair, also. Kurt did not put it on this Agenda, until he's sure there is a full Commission.

4. Minutes

Consider approval of minutes from the Planning & Zoning Commission Work Session held on April 8, 2004.

Motion to approve minutes, as is, by Betty Amator/Kay Matthews.

Vote	Ayes:	Betty Amator Kay Matthews Dan Slaysman
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Abstain Bill Lucas

Vice Chairman Bill Lucas did not vote because he was not at the April 8, 2004 meeting.

5. Minutes

Consider approval of minutes from the Planning & Zoning Commission meeting held on April 8, 2004.

Page 2, line 13 correction
insert "Unanimous Vote" at the end of the sentence.

Motion to approve minutes with the above change by Kay Matthews/Dan Slaysman.

Vote	Ayes:	Betty Amator Kay Matthews Dan Slaysman
	Abstain:	Bill Lucas

Vice Chairman Bill Lucas did not vote because he was not at the April 8, 2004 meeting.

6. Storage Bins

Discussion regarding portable storage bins.

Kay Buck asked if CCR's would override Zoning regulations. Kurt answered yes, as far as being more restrictive. They cannot be less restrictive.

Motion to table this item until there is a full Commission by Betty Amator/Dan Slaysman.

Vote	Ayes:	Betty Amator Kay Matthews Dan Slaysman Bill Lucas
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7. Rezone 2004-R001

Hear a request to rezone parcels 105-21-090, 105-21-091 and 105-21-107 from a split zoning of C-1 and R1-7 to completely C-1.

No action was taken.

8. CUP2004-C006

Consider a conditional use permit application from Lil Ranglers to allow food service outside.

Mr. Aldrice Burk spoke on behalf of Troy Burk, the owner of the pastureland east of Lil Rangler. He said they do not need all that trash in the meadow. When the wind blows and the crows get into the dumpster, they get it all up there in the meadow. He lost one calf last year, and the vet said he ate too much plastic.

Mr. Steve Martin, owner of Lil Ranglers stated that he appreciated Mr. Burk's comments. The dumpster is in the back, and he is continually closing the top because it is left open

and it is the only dumpster for the entire Plaza. Everybody tosses trash in there, and yes, the crows are also picking it apart. He doesn't feel that the outdoor dining area would be a problem. He would like to put in outdoor dining for the tourist season, and to have somewhere to sit and watch the sun go down.

Commissioner Betty Amator was concerned about parking, and wanted to know if striping the parking lot was an option? Commissioner Kay Matthews stated that since Mr. Martin did not own the entire Plaza, that striping the parking lot was not Mr. Martin's issue.

The Commission continued discussions regarding the parking lot issue. Mr. Martin was informed that he would be required to obtain a building permit for construction of the deck.

Motion to approve CUP 2004-C006 with the condition that all Fire Marshall standards are met by Kay Matthews/Dan Slaysman.

Vote	Ayes:	Betty Amator
		Kay Matthews
		Dan Slaysman
		Bill Lucas

9. CUP2004-C007

Consider a conditional use permit application from American Legion Post 30 to allow the construction of a 44-inch concrete block wall in the front of the building.

Kurt Hassler stated that he has received only one concern regarding this permit, and the concern was regarding the location of the property pins. It is Mr. Hassler's understanding that the property has been surveyed and there are pins in place. This is the American Legion's responsibility. There were no other concerns.

Motion to approve CUP2004-C007 with no additional conditions by Dan Slaysman/Kay Matthews.

Vote	Ayes:	Betty Amator
		Kay Matthews
		Dan Slaysman
		Bill Lucas

10. CUP2004-C008

Consider a conditional use permit application from M Bar W Feed & Hay to allow the construction of sheep pens for the sale of lambs.

Mr. Hassler stated that Sunny Wiltbank was here to represent Mike Wiltbank. The Commission has a letter opposing the CUP in their packet. There is an additional letter by Mr. Harrington, sent after the discussion about three weeks ago. He is still strongly opposed to this CUP. Mr. Hassler has also received an email from a gentleman in the area that owns property, and he strongly opposes the idea of sheep pens also.

Sunny Wiltbank stated that the sheep would only be in the pens from May to October, when the lambs were there. It would be placed behind the second barn. She stated that there was a dumpster closer to the office buildings than what the sheep would be. Mrs. Wiltbank stated that she has sheep at her house, and the only complaint she has ever had was when the sheep got loose. As far as being a "smelly" animal, Mrs. Wiltbank stated that

sheep feces are nothing like cow. If approved for the CUP, she stated that her husband, Mike Wiltbank would take excellent care of the animals, and they would not be a bother to anyone. She stated that sheep are one of the cleanest animals.

Mrs. Wiltbank was asked what size was the pen. The application states the pen size to be 75' by 150'. She stated that a more realistic size would be 50' by 100', and that her husband was not the best at measurements.

Russell Crosby stated that after seeing where the pen would be located, he has no objection to the CUP, and actually believes this to be a good project.

Vice Chair Bill Lucas stated that the property is zoned C-1, and keeping of livestock is not a permitted use in a commercial zone, nor is it a conditional use. Section 404 in the Zoning Code states, under Animals and Pets, J2, Non-Household Animals, "Animals other than household pets shall be prohibited, except in those zoning districts in which they are specifically allowed."

Mrs. Wiltbank stated that they currently sell chickens, rabbits and ducks at the Feed Store, so why not lambs? It is presently being used like a Pet Shop.

Mr. Slaysman informed Mrs. Wiltbank that the chickens, rabbits and ducks are being kept and sold inside of the Feed Store, not outside in pens. A Pet Shop, in his opinion, is where everything is inside and enclosed in the Feed Store.

Commissioner Betty Amator stated that the Zoning Book has a 100' limitation and with all of the residences behind there, she knows there was previous requests denied for animals, she must go along with the Code Book, that this cannot be used for sheep pens. She feels the Commission does not have the right to approve this CUP.

Motion to deny CUP2004-C008, based upon the fact that C-1 zoning does not allow livestock, by Dan Slaysman/Betty Amator. Mr. Slaysman added that the applicant has the right to appeal this decision to the Council.

Vote	Ayes:	Betty Amator Dan Slaysman Bill Lucas
	Nays:	Kay Matthews

Vote is three in favor, one opposed. Motion carried. CUP2004-C008 is denied.

11. Adjournment

Motion to adjourn the meeting by Bill Lucas/Dan Slaysman at 7:56 p.m.

Vote	Ayes:	Betty Amator
		Kay Matthews
		Dan Slaysman
		Bill Lucas

Bill Lucas, Vice Chairman